

UNITED STATES DISTRICT OF NEW YORK  
EASTERN DISTRICT OF NEW YORK

----- X  
JOHN RICCIARDI, CALIXTO GARCÍA, JESUS RODRIGUEZ, :  
MILTON AYALA, PORFIRIO ARRIOLA, CALIXTO :  
PERLERA and JOSÉ ROBERTO VÁSQUEZ, :

Plaintiffs, :

v. :

CV-10-5371 (JS-ARL)

THE KIMCO CORPORATION, KIMCO FACILITIES :  
SERVICES CORPORATION, KIMCO DELAWARE, INC., :  
EUREST SERVICES, INC. and COMPASS GROUP USA INC., :

Defendants. :

----- X  
**STIPULATION OF PARTIAL DISMISSAL WITH PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, by and between plaintiff Porfirio Arriola ("Arriola") and defendants The Kimco Corporation, Kimco Facilities Services Corporation, Eurest Services, Inc. and Compass Group USA Inc. (collectively, the "Defendants"), through their respective counsel, that any and all retaliation claims asserted by Arriola in the Complaint are dismissed with prejudice and without costs against him or Defendants.

Dated: New York, New York  
April 4, 2012

Respectfully submitted,

LAW OFFICES OF IAN WALLACE, PLLC

By

  
Ian Wallace

501 Fifth Avenue, 19th Floor  
New York, New York 10017  
(212) 661-5306  
Attorney for Plaintiff

SEYEARTH SHAW LLP

By



Edward Cerasia II  
620 Eighth Avenue, 32nd Floor  
New York, New York 10018  
(212) 218-5500  
Attorneys for Defendants

Dated: Central Islip, New York  
April \_\_, 2012

SO ORDERED:

---

Joanna Seybert  
United States District Judge